

Government Records Classification Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lisa Shepherd

Senate Sponsor: Keven J. Stratton

LONG TITLE

General Description:

This bill modifies provisions related to the classification of certain government records.

Highlighted Provisions:

This bill:

- amends the definition of "initial contact report" for purposes of the Government Records Access and Management Act;

- classifies as public any record that documents a governmental entity's receipt or expenditure of funds, including:

- a record related to a financial account, budget, voucher, or grant;
- a financial report or general ledger; and
- a record documenting compensation a governmental entity pays to a vendor;

- if properly classified by the governmental entity, makes private any portion of a record that reveals whether a taxpayer receives a specified property tax exemption, deferral, abatement, or other relief; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63G-2-103, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

63G-2-301, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

63G-2-302, as last amended by Laws of Utah 2025, Chapter 172

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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63G-2-103** is amended to read:

63G-2-103 . Definitions.

As used in this chapter:

(1) "Audit" means:

- (a) a systematic examination of financial, management, program, and related records for the purpose of determining the fair presentation of financial statements, adequacy of internal controls, or compliance with laws and regulations; or
- (b) a systematic examination of program procedures and operations for the purpose of determining their effectiveness, economy, efficiency, and compliance with statutes and regulations.

(2) "Chief administrative officer" means the chief administrative officer of a governmental entity who is responsible to fulfill the duties described in Section 63A-12-103.

(3) "Chronological logs" mean the regular and customary summary records of law enforcement agencies and other public safety agencies that show:

- (a) the time and general nature of police, fire, and paramedic calls made to the agency; and
- (b) any arrests or jail bookings made by the agency.

(4) "Classification," "classify," and their derivative forms mean determining whether a record series, record, or information within a record is public, private, controlled, protected, or exempt from disclosure under Subsection 63G-2-201(3)(b).

(5)(a) "Computer program" means:

- (i) a series of instructions or statements that permit the functioning of a computer system in a manner designed to provide storage, retrieval, and manipulation of data from the computer system; and
- (ii) any associated documentation and source material that explain how to operate the computer program.

(b) "Computer program" does not mean:

- (i) the original data, including numbers, text, voice, graphics, and images;
- (ii) analysis, compilation, and other manipulated forms of the original data produced by use of the program; or
- (iii) the mathematical or statistical formulas, excluding the underlying mathematical algorithms contained in the program, that would be used if the manipulated forms

- 62 of the original data were to be produced manually.
- 63 (6)(a) "Contractor" means:
- 64 (i) any person who contracts with a governmental entity to provide goods or services
- 65 directly to a governmental entity; or
- 66 (ii) any private, nonprofit organization that receives funds from a governmental entity.
- 67 (b) "Contractor" does not mean a private provider.
- 68 (7) "Controlled record" means a record containing data on individuals that is controlled as
- 69 provided by Section 63G-2-304.
- 70 (8) "Designation," "designate," and their derivative forms mean indicating, based on a
- 71 governmental entity's familiarity with a record series or based on a governmental entity's
- 72 review of a reasonable sample of a record series, the primary classification that a
- 73 majority of records in a record series would be given if classified and the classification
- 74 that other records typically present in the record series would be given if classified.
- 75 (9) "Elected official" means each person elected to a state office, county office, municipal
- 76 office, school board or school district office, special district office, or special service
- 77 district office, but does not include judges.
- 78 (10) "Explosive" means a chemical compound, device, or mixture:
- 79 (a) commonly used or intended for the purpose of producing an explosion; and
- 80 (b) that contains oxidizing or combustive units or other ingredients in proportions,
- 81 quantities, or packing so that:
- 82 (i) an ignition by fire, friction, concussion, percussion, or detonator of any part of the
- 83 compound or mixture may cause a sudden generation of highly heated gases; and
- 84 (ii) the resultant gaseous pressures are capable of:
- 85 (A) producing destructive effects on contiguous objects; or
- 86 (B) causing death or serious bodily injury.
- 87 (11) "Government audit agency" means any governmental entity that conducts an audit.
- 88 (12)(a) "Governmental entity" means:
- 89 (i) executive department agencies of the state, the offices of the governor, lieutenant
- 90 governor, state auditor, attorney general, and state treasurer, the Board of Pardons
- 91 and Parole, the Board of Examiners, the National Guard, the Career Service
- 92 Review Office, the State Board of Education, the Utah Board of Higher
- 93 Education, and the State Archives;
- 94 (ii) the Office of the Legislative Auditor General, Office of the Legislative Fiscal
- 95 Analyst, Office of Legislative Research and General Counsel, the Legislature, and

96 legislative committees, except any political party, group, caucus, or rules or sifting
97 committee of the Legislature;

98 (iii) courts, the Judicial Council, the Administrative Office of the Courts, and similar
99 administrative units in the judicial branch;

100 (iv) any state-funded institution of higher education or public education; or

101 (v) any political subdivision of the state, but, if a political subdivision has adopted an
102 ordinance or a policy relating to information practices pursuant to Section
103 63G-2-701, this chapter shall apply to the political subdivision to the extent
104 specified in Section 63G-2-701 or as specified in any other section of this chapter
105 that specifically refers to political subdivisions.

106 (b) "Governmental entity" also means:

107 (i) every office, agency, board, bureau, committee, department, advisory board, or
108 commission of an entity listed in Subsection (12)(a) that is funded or established
109 by the government to carry out the public's business;

110 (ii) as defined in Section 11-13-103, an interlocal entity or joint or cooperative
111 undertaking, except for the Water District Water Development Council created
112 pursuant to Section 11-13-228;

113 (iii) as defined in Section 11-13a-102, a governmental nonprofit corporation;

114 (iv) an association as defined in Section 53G-7-1101;

115 (v) the Utah Independent Redistricting Commission; and

116 (vi) a law enforcement agency, as defined in Section 53-1-102, that employs one or
117 more law enforcement officers, as defined in Section 53-13-103.

118 (c) "Governmental entity" does not include the Utah Educational Savings Plan created in
119 Section 53H-10-202.

120 (13) "Government Records Office" means the same as that term is defined in Section
121 63A-12-201.

122 (14) "Gross compensation" means every form of remuneration payable for a given period to
123 an individual for services provided including salaries, commissions, vacation pay,
124 severance pay, bonuses, and any board, rent, housing, lodging, payments in kind, and
125 any similar benefit received from the individual's employer.

126 (15) "Individual" means a human being.

127 (16)(a) "Initial contact report" means an initial written or recorded report, however
128 titled, prepared by peace officers engaged in public patrol or response duties
129 describing official actions initially taken in response to either a public complaint

- 130 about or the discovery of an apparent violation of law, which report may describe:
- 131 (i) the date, time, location, and nature of the complaint, the incident, or offense;
- 132 [~~(ii) names of victims;~~
- 133 [~~(iii)~~] (ii) the nature or general scope of the agency's initial actions taken in response
- 134 to the incident;
- 135 [~~(iv)~~] (iii) the general nature of any injuries or estimate of damages sustained in the
- 136 incident;
- 137 [~~(v)~~] (iv) the name, address, and other identifying information about any person
- 138 arrested or charged in connection with the incident; or
- 139 [~~(vi)~~] (v) the identity of the public safety personnel, except undercover personnel, or
- 140 prosecuting attorney involved in responding to the initial incident.
- 141 (b) Initial contact reports do not include follow-up or investigative reports prepared after
- 142 the initial contact report. However, if the information specified in Subsection (16)(a)
- 143 appears in follow-up or investigative reports, it may only be treated confidentially if
- 144 it is private, controlled, protected, or exempt from disclosure under Subsection
- 145 63G-2-201(3)(b).
- 146 (c) Initial contact reports do not include accident reports, as that term is described in
- 147 Title 41, Chapter 6a, Part 4, Accident Responsibilities.
- 148 (17) "Legislative body" means the Legislature.
- 149 (18) "Notice of compliance" means a statement confirming that a governmental entity has
- 150 complied with an order of the director of the Government Records Office.
- 151 (19) "Person" means:
- 152 (a) an individual;
- 153 (b) a nonprofit or profit corporation;
- 154 (c) a partnership;
- 155 (d) a sole proprietorship;
- 156 (e) other type of business organization; or
- 157 (f) any combination acting in concert with one another.
- 158 (20) "Private provider" means any person who contracts with a governmental entity to
- 159 provide services directly to the public.
- 160 (21) "Private record" means a record containing data on individuals that is private as
- 161 provided by Section 63G-2-302.
- 162 (22) "Protected record" means a record that is classified protected as provided by Section
- 163 63G-2-305.

- 164 (23) "Public record" means a record that is not private, controlled, or protected and that is
165 not exempt from disclosure as provided in Subsection 63G-2-201(3)(b).
- 166 (24) "Reasonable search" means a search that is:
167 (a) reasonable in scope and intensity; and
168 (b) not unreasonably burdensome for the government entity.
- 169 (25)(a) "Record" means a book, letter, document, paper, map, plan, photograph, film,
170 card, tape, recording, electronic data, or other documentary material regardless of
171 physical form or characteristics:
172 (i) that is prepared, owned, received, or retained by a governmental entity or political
173 subdivision; and
174 (ii) where all of the information in the original is reproducible by photocopy or other
175 mechanical or electronic means.
- 176 (b) "Record" does not include:
177 (i) a personal note or personal communication prepared or received by an employee
178 or officer of a governmental entity:
179 (A) in a capacity other than the employee's or officer's governmental capacity; or
180 (B) that is unrelated to the conduct of the public's business;
181 (ii) a temporary draft or similar material prepared for the originator's personal use or
182 prepared by the originator for the personal use of an individual for whom the
183 originator is working;
184 (iii) material that is legally owned by an individual in the individual's private capacity;
185 (iv) material to which access is limited by the laws of copyright or patent unless the
186 copyright or patent is owned by a governmental entity or political subdivision;
187 (v) proprietary software;
188 (vi) junk mail or a commercial publication received by a governmental entity or an
189 official or employee of a governmental entity;
190 (vii) a book that is cataloged, indexed, or inventoried and contained in the collections
191 of a library open to the public;
192 (viii) material that is cataloged, indexed, or inventoried and contained in the
193 collections of a library open to the public, regardless of physical form or
194 characteristics of the material;
195 (ix) a daily calendar[-];
196 (x) a note prepared by the originator for the originator's own use or for the sole use of
197 an individual for whom the originator is working;

- 198 (xi) a computer program that is developed or purchased by or for any governmental
199 entity for its own use;
- 200 (xii) a note or internal memorandum prepared as part of the deliberative process by:
201 (A) a member of the judiciary;
202 (B) an administrative law judge;
203 (C) a member of the Board of Pardons and Parole; or
204 (D) a member of any other body, other than an association or appeals panel as
205 defined in Section 53G-7-1101, charged by law with performing a
206 quasi-judicial function;
- 207 (xiii) a telephone number or similar code used to access a mobile communication
208 device that is used by an employee or officer of a governmental entity, provided
209 that the employee or officer of the governmental entity has designated at least one
210 business telephone number that is a public record as provided in Section
211 63G-2-301;
- 212 (xiv) information provided by the Public Employees' Benefit and Insurance Program,
213 created in Section 49-20-103, to a county to enable the county to calculate the
214 amount to be paid to a health care provider under Subsection 17-63-706(2)(e)(ii);
- 215 (xv) information that an owner of unimproved property provides to a local entity as
216 provided in Section 11-42-205;
- 217 (xvi) a video or audio recording of an interview, or a transcript of the video or audio
218 recording, that is conducted at a Children's Justice Center established under
219 Section 67-5b-102;
- 220 (xvii) child sexual abuse material, as defined by Section 76-5b-103;
- 221 (xviii) before final disposition of an ethics complaint occurs, a video or audio
222 recording of the closed portion of a meeting or hearing of:
223 (A) a Senate or House Ethics Committee;
224 (B) the Independent Legislative Ethics Commission;
225 (C) the Independent Executive Branch Ethics Commission, created in Section
226 63A-14-202; or
227 (D) the Political Subdivisions Ethics Review Commission established in Section
228 63A-15-201;
- 229 (xix) confidential communication described in Section 58-60-102, 58-61-102, or
230 58-61-702;
- 231 (xx) any item described in Subsection (25)(a) that is:

- 232 (A) described in Subsection 63G-2-305(17), (18), or (23)(b); and
 233 (B) shared between any of the following entities:
- 234 (I) the Division of Risk Management;
 - 235 (II) the Office of the Attorney General;
 - 236 (III) the governor's office; or
 - 237 (IV) the Legislature;
- 238 (xxi) the email address that a candidate for elective office provides to a filing officer
 239 under Subsection 20A-9-201(5)(c)(ii) or 20A-9-203(4)(c)(iv); or
- 240 (xxii) except as provided in Sections 31A-16-105, 31A-16-107.5, and 27a-3-303, an
 241 investment policy, or information related to an investment policy, provided to the
 242 insurance commissioner as described in Title 31A, Chapter 18, Investments.
- 243 (26) "Record series" means a group of records that may be treated as a unit for purposes of
 244 designation, description, management, or disposition.
- 245 (27) "Records officer" means the individual appointed by the chief administrative officer of
 246 each governmental entity, or the political subdivision to work with state archives in the
 247 care, maintenance, scheduling, designation, classification, disposal, and preservation of
 248 records.
- 249 (28) "Schedule," "scheduling," and their derivative forms mean the process of specifying
 250 the length of time each record series should be retained by a governmental entity for
 251 administrative, legal, fiscal, or historical purposes and when each record series should be
 252 transferred to the state archives or destroyed.
- 253 (29) "Sponsored research" means research, training, and other sponsored activities as
 254 defined by the federal Executive Office of the President, Office of Management and
 255 Budget:
- 256 (a) conducted:
 - 257 (i) by an institution within the state system of higher education described in Section
 - 258 53H-1-102; and
 - 259 (ii) through an office responsible for sponsored projects or programs; and
 - 260 (b) funded or otherwise supported by an external:
 - 261 (i) person that is not created or controlled by the institution within the state system of
 - 262 higher education; or
 - 263 (ii) federal, state, or local governmental entity.
- 264 (30) "State archives" means the Division of Archives and Records Service created in
 265 Section 63A-12-101.

- 266 (31) "State archivist" means the director of the state archives.
267 (32) "Summary data" means statistical records and compilations that contain data derived
268 from private, controlled, or protected information but that do not disclose private,
269 controlled, or protected information.

270 Section 2. Section **63G-2-301** is amended to read:

271 **63G-2-301 . Public records.**

- 272 (1) As used in this section:
- 273 (a) "Business address" means a single address of a governmental agency designated for
274 the public to contact an employee or officer of the governmental agency.
- 275 (b) "Business email address" means a single email address of a governmental agency
276 designated for the public to contact an employee or officer of the governmental
277 agency.
- 278 (c) "Business telephone number" means a single telephone number of a governmental
279 agency designated for the public to contact an employee or officer of the
280 governmental agency.
- 281 (d) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 282 (2) The following records are public except to the extent they contain information expressly
283 permitted to be treated confidentially under the provisions of Subsections
284 63G-2-201(3)(b) and (6)(a):
- 285 (a) laws;
- 286 (b) the name, gender, gross compensation, job title, job description, business address,
287 business email address, business telephone number, number of hours worked per pay
288 period, dates of employment, and relevant education, previous employment, and
289 similar job qualifications of a current or former employee or officer of the
290 governmental entity, excluding:
- 291 (i) undercover law enforcement personnel; and
292 (ii) investigative personnel if disclosure could reasonably be expected to impair the
293 effectiveness of investigations or endanger any individual's safety;
- 294 (c) final opinions, including concurring and dissenting opinions, and orders that are
295 made by a governmental entity in an administrative, adjudicative, or judicial
296 proceeding except that if the proceedings were properly closed to the public, the
297 opinion and order may be withheld to the extent that they contain information that is
298 private, controlled, or protected;
- 299 (d) final interpretations of statutes or rules by a governmental entity unless classified as

- 300 protected as provided in Subsection 63G-2-305(17) or (18);
- 301 (e) information contained in or compiled from a transcript, minutes, or report of the open
302 portions of a meeting of a governmental entity as provided by Title 52, Chapter 4,
303 Open and Public Meetings Act, including the records of all votes of each member of
304 the governmental entity;
- 305 (f) judicial records unless a court orders the records to be restricted under the rules of
306 civil or criminal procedure or unless the records are private under this chapter;
- 307 (g) unless otherwise classified as private under Section 63G-2-303, records or parts of
308 records filed with or maintained by county recorders, clerks, treasurers, surveyors,
309 zoning commissions, the Division of Forestry, Fire, and State Lands, the School and
310 Institutional Trust Lands Administration, the Division of Oil, Gas, and Mining, the
311 Division of Water Rights, or other governmental entities that give public notice of:
312 (i) titles or encumbrances to real property;
313 (ii) restrictions on the use of real property;
314 (iii) the capacity of persons to take or convey title to real property; or
315 (iv) tax status for real and personal property;
- 316 (h) records of the Department of Commerce that evidence incorporations, mergers, name
317 changes, and uniform commercial code filings;
- 318 (i) data on individuals that would otherwise be private under this chapter if the
319 individual who is the subject of the record has given the governmental entity written
320 permission to make the records available to the public;
- 321 [~~(j)~~] documentation of the compensation that a governmental entity pays to a contractor
322 or private provider;]
- 323 [~~(k)~~] (j) summary data;
- 324 [~~(l)~~] (k) voter registration records, including an individual's voting history, except for a
325 voter registration record or those parts of a voter registration record that are classified
326 as private under Subsections 63G-2-302(1)(j) through (n) or withheld under
327 Subsection 20A-2-104(7);
- 328 [~~(m)~~] (l) for an elected official, as defined in Section 11-47-102, a telephone number, if
329 available, and email address, if available, where that elected official may be reached
330 as required in Title 11, Chapter 47, Access to Elected Officials;
- 331 [~~(n)~~] (m) for a school community council member, a telephone number, if available, and
332 email address, if available, where that elected official may be reached directly as
333 required in Section 53G-7-1203;

- 334 ~~[(t)]~~ (n) annual audited financial statements of the Utah Educational Savings Plan
335 described in Section 53H-10-210; and
- 336 ~~[(p)]~~ (o) an initiative packet, as defined in Section 20A-7-101, and a referendum packet,
337 as defined in Section 20A-7-101, after the packet is submitted to a county clerk.
- 338 (3) The following records are normally public, but to the extent that a record is expressly
339 exempt from disclosure, access may be restricted under Subsection 63G-2-201(3)(b),
340 Section 63G-2-302, 63G-2-304, or 63G-2-305:
- 341 (a) administrative staff manuals, instructions to staff, and statements of policy;
- 342 (b) records documenting a contractor's or private provider's compliance with the terms
343 of a contract with a governmental entity;
- 344 (c) records documenting the services provided by a contractor or a private provider to
345 the extent the records would be public if prepared by the governmental entity;
- 346 (d) contracts entered into by a governmental entity;
- 347 ~~[(e) any account, voucher, or contract that deals with the receipt or expenditure of funds
348 by a governmental entity;]~~
- 349 (e) records that document a governmental entity's receipt or expenditure of funds,
350 including:
- 351 (i) a record related to a financial account, budget, voucher, or grant;
352 (ii) a financial report or general ledger; and
353 (iii) a record that documents the compensation a governmental entity pays to a
354 contractor, vendor, or private provider;
- 355 (f) records relating to government assistance or incentives publicly disclosed, contracted
356 for, or given by a governmental entity, encouraging a person to expand or relocate a
357 business in Utah, except as provided in Subsection 63G-2-305(35);
- 358 (g) chronological logs and initial contact reports;
- 359 (h) correspondence by and with a governmental entity in which the governmental entity
360 determines or states an opinion upon the rights of the state, a political subdivision,
361 the public, or any person;
- 362 (i) empirical data contained in drafts if:
- 363 (i) the empirical data is not reasonably available to the requester elsewhere in similar
364 form; and
- 365 (ii) the governmental entity is given a reasonable opportunity to correct any errors or
366 make nonsubstantive changes before release;
- 367 (j) drafts that are circulated to anyone other than:

- 368 (i) a governmental entity;
- 369 (ii) a political subdivision;
- 370 (iii) a federal agency if the governmental entity and the federal agency are jointly
371 responsible for implementation of a program or project that has been legislatively
372 approved;
- 373 (iv) a government-managed corporation; or
- 374 (v) a contractor or private provider;
- 375 (k) drafts that have never been finalized but were relied upon by the governmental entity
376 in carrying out action or policy;
- 377 (l) original data in a computer program if the governmental entity chooses not to
378 disclose the program;
- 379 (m) arrest warrants after issuance, except that, for good cause, a court may order
380 restricted access to arrest warrants prior to service;
- 381 (n) search warrants after execution and filing of the return, except that a court, for good
382 cause, may order restricted access to search warrants prior to trial;
- 383 (o) records that would disclose information relating to formal charges or disciplinary
384 actions against a past or present governmental entity employee if:
- 385 (i) the disciplinary action has been completed and all time periods for administrative
386 appeal have expired; and
- 387 (ii) the charges on which the disciplinary action was based were sustained;
- 388 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School and
389 Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that
390 evidence mineral production on government lands;
- 391 (q) final audit reports;
- 392 (r) occupational and professional licenses;
- 393 (s) business licenses;
- 394 (t) a notice of violation, a notice of agency action under Section 63G-4-201, or similar
395 records used to initiate proceedings for discipline or sanctions against persons
396 regulated by a governmental entity, but not including records that initiate employee
397 discipline; and
- 398 (u)(i) records that disclose a standard, regulation, policy, guideline, or rule regarding
399 the operation of a correctional facility or the care and control of inmates
400 committed to the custody of a correctional facility; and
- 401 (ii) records that disclose the results of an audit or other inspection assessing a

402 correctional facility's compliance with a standard, regulation, policy, guideline, or
403 rule described in Subsection (3)(u)(i).

404 (4) The list of public records in this section is not exhaustive and should not be used to limit
405 access to records.

406 Section 3. Section **63G-2-302** is amended to read:

407 **63G-2-302 . Private records.**

408 (1) The following records are private:

409 (a) records concerning an individual's eligibility for unemployment insurance benefits,
410 social services, welfare benefits, or the determination of benefit levels;

411 (b) records containing data on individuals describing medical history, diagnosis,
412 condition, treatment, evaluation, or similar medical data;

413 (c) records of publicly funded libraries that when examined alone or with other records
414 identify a patron;

415 (d) records received by or generated by or for:

416 (i) the Independent Legislative Ethics Commission, except for:

417 (A) the commission's summary data report that is required under legislative rule;
418 and

419 (B) any other document that is classified as public under legislative rule; or

420 (ii) a Senate or House Ethics Committee in relation to the review of ethics
421 complaints, unless the record is classified as public under legislative rule;

422 (e) records received by, or generated by or for, the Independent Executive Branch Ethics
423 Commission, except as otherwise expressly provided in Title 63A, Chapter 14,
424 Review of Executive Branch Ethics Complaints;

425 (f) records received or generated for a Senate confirmation committee concerning
426 character, professional competence, or physical or mental health of an individual:

427 (i) if, prior to the meeting, the chair of the committee determines release of the
428 records:

429 (A) reasonably could be expected to interfere with the investigation undertaken by
430 the committee; or

431 (B) would create a danger of depriving a person of a right to a fair proceeding or
432 impartial hearing; and

433 (ii) after the meeting, if the meeting was closed to the public;

434 (g) employment records concerning a current or former employee of, or applicant for
435 employment with, a governmental entity that would disclose that individual's home

- 436 address, home telephone number, social security number, insurance coverage, marital
437 status, or payroll deductions;
- 438 (h) records or parts of records under Section 63G-2-303 that a current or former
439 employee identifies as private according to the requirements of that section;
- 440 (i) that part of a record indicating a person's social security number or federal employer
441 identification number if provided under Section 31A-23a-104, 31A-25-202,
442 31A-26-202, 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;
- 443 (j) that part of a voter registration record identifying a voter's:
444 (i) driver license or identification card number;
445 (ii) social security number, or last four digits of the social security number;
446 (iii) email address;
447 (iv) date of birth; or
448 (v) phone number;
- 449 (k) a voter registration record that is classified as a private record by the lieutenant
450 governor or a county clerk under Subsection 20A-2-101.1(5)(a), 20A-2-104(4)(h), or
451 20A-2-204(4)(b);
- 452 (l) a voter registration record that is withheld under Subsection 20A-2-104(7);
- 453 (m) a withholding request form described in Subsections 20A-2-104(7) and (8) and any
454 verification submitted in support of the form;
- 455 (n) a record or information regarding whether a voter returned a ballot with postage
456 attached;
- 457 (o) a record that:
458 (i) contains information about an individual;
459 (ii) is voluntarily provided by the individual; and
460 (iii) goes into an electronic database that:
461 (A) is designated by and administered under the authority of the Chief Information
462 Officer; and
463 (B) acts as a repository of information about the individual that can be
464 electronically retrieved and used to facilitate the individual's online interaction
465 with a state agency;
- 466 (p) information provided to the Commissioner of Insurance under:
467 (i) Subsection 31A-23a-115(3)(a);
468 (ii) Subsection 31A-23a-302(4); or
469 (iii) Subsection 31A-26-210(4);

- 470 (q) information obtained through a criminal background check under Title 11, Chapter 40,
471 Criminal Background Checks by Political Subdivisions Operating Water Systems;
- 472 (r) information provided by an offender that is:
- 473 (i) required by the registration requirements of Title 53, Chapter 29, Sex, Kidnap, and
474 Child Abuse Offender Registry; and
- 475 (ii) not required to be made available to the public under Subsection 53-29-404(3)(a);
- 476 (s) a statement and any supporting documentation filed with the attorney general in
477 accordance with Section 34-45-107, if the federal law or action supporting the filing
478 involves homeland security;
- 479 (t) electronic toll collection customer account information received or collected under
480 Section 72-6-118 and customer information described in Section 17B-2a-815
481 received or collected by a public transit district, including contact and payment
482 information and customer travel data;
- 483 (u) an email address provided by a military or overseas voter under Section 20A-16-501;
- 484 (v) a completed military-overseas ballot that is electronically transmitted under Title
485 20A, Chapter 16, Uniform Military and Overseas Voters Act;
- 486 (w) records received by or generated by or for the Political Subdivisions Ethics Review
487 Commission established in Section 63A-15-201, except for:
- 488 (i) the commission's summary data report that is required in Section 63A-15-202; and
489 (ii) any other document that is classified as public in accordance with Title 63A,
490 Chapter 15, Political Subdivisions Ethics Review Commission;
- 491 (x) a record described in Section 53G-9-604 that verifies that a parent was notified of an
492 incident or threat;
- 493 (y) a criminal background check or credit history report conducted in accordance with
494 Section 63A-3-201;
- 495 (z) a record described in Subsection 53-5a-104(7);
- 496 (aa) on a record maintained by a county for the purpose of administering property taxes,
497 an individual's:
- 498 (i) email address;
- 499 (ii) phone number; or
- 500 (iii) personal financial information related to a person's payment method;
- 501 (bb) a record submitted by a taxpayer to establish the taxpayer's eligibility for an
502 exemption, deferral, abatement, or relief under:
- 503 (i) Title 59, Chapter 2, Part 11, Exemptions; or

- 504 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax;
- 505 (cc) a record provided by the State Tax Commission in response to a request under
- 506 Subsection 59-1-403(4)(y)(iii);
- 507 (dd) a record of the Child Welfare Legislative Oversight Panel regarding an individual
- 508 child welfare case, as described in Subsection 36-33-103(3);
- 509 (ee) a record relating to drug or alcohol testing of a state employee under Section
- 510 63A-17-1004;
- 511 (ff) a record relating to a request by a state elected official or state employee who has
- 512 been threatened to the Division of Technology Services to remove personal
- 513 identifying information from the open web under Section 63A-16-109;
- 514 (gg) a record including confidential information as that term is defined in Section
- 515 67-27-106; and
- 516 (hh) a record or notice received or generated under Title 53, Chapter 30, Security
- 517 Improvements Act, relating to:
- 518 (i) an application for certification described in Section 53-30-201; or
- 519 (ii) a security improvement, including a building permit application or building
- 520 permit for a security improvement described in Section 53-30-301.
- 521 (2) The following records are private if properly classified by a governmental entity:
- 522 (a) records concerning a current or former employee of, or applicant for employment
- 523 with a governmental entity, including performance evaluations and personal status
- 524 information such as race, religion, or disabilities, but not including records that are
- 525 public under Subsection 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under
- 526 Subsection (1)(b);
- 527 (b) records describing an individual's finances, except that the following are public:
- 528 (i) records described in Subsection 63G-2-301(2);
- 529 (ii) information provided to the governmental entity for the purpose of complying
- 530 with a financial assurance requirement; or
- 531 (iii) records that must be disclosed in accordance with another statute;
- 532 (c) records of independent state agencies if the disclosure of those records would
- 533 conflict with the fiduciary obligations of the agency;
- 534 (d) other records containing data on individuals the disclosure of which constitutes a
- 535 clearly unwarranted invasion of personal privacy;
- 536 (e) records provided by the United States or by a government entity outside the state that
- 537 are given with the requirement that the records be managed as private records, if the

- 538 providing entity states in writing that the record would not be subject to public
539 disclosure if retained by it;
- 540 (f) any portion of a record in the custody of the Division of Aging and Adult Services,
541 created in Section 26B-6-102, that may disclose, or lead to the discovery of, the
542 identity of a person who made a report of alleged abuse, neglect, or exploitation of a
543 vulnerable adult;[~~and~~]
- 544 (g) audio and video recordings created by a body-worn camera, as defined in Section
545 77-7a-103, that record sound or images inside a home or residence except for
546 recordings that:
- 547 (i) depict the commission of an alleged crime;
- 548 (ii) record any encounter between a law enforcement officer and a person that results
549 in death or bodily injury, or includes an instance when an officer fires a weapon;
- 550 (iii) record any encounter that is the subject of a complaint or a legal proceeding
551 against a law enforcement officer or law enforcement agency;
- 552 (iv) contain an officer-involved critical incident as defined in Subsection
553 76-2-408(1)(f); or
- 554 (v) have been requested for reclassification as a public record by a subject or
555 authorized agent of a subject featured in the recording[~~;~~]; and
- 556 (h) any portion of a record that reveals whether a taxpayer receives an exemption,
557 deferral, abatement, or relief under:
- 558 (i) Section 59-2-1106; or
- 559 (ii) Title 59, Chapter 2a, Tax Relief Through Property Tax.
- 560 (3)(a) As used in this Subsection (3), "medical records" means medical reports, records,
561 statements, history, diagnosis, condition, treatment, and evaluation.
- 562 (b) Medical records in the possession of the University of Utah Hospital, its clinics,
563 doctors, or affiliated entities are not private records or controlled records under
564 Section 63G-2-304 when the records are sought:
- 565 (i) in connection with any legal or administrative proceeding in which the patient's
566 physical, mental, or emotional condition is an element of any claim or defense; or
- 567 (ii) after a patient's death, in any legal or administrative proceeding in which any
568 party relies upon the condition as an element of the claim or defense.
- 569 (c) Medical records are subject to production in a legal or administrative proceeding
570 according to state or federal statutes or rules of procedure and evidence as if the
571 medical records were in the possession of a nongovernmental medical care provider.

572 Section 4. **Effective Date.**
573 This bill takes effect on May 6, 2026.